

TEMPORARY

No. 74718T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office AUG 31 2006

Returned to applicant for correction SEP 13 2006

Corrected application filed

Map filed JUN 14 1979 under 38330

The applicant **Desert Hills Dairy, LLC** hereby makes application for permission to change the a **portion of the place and manner of use** of water heretofore appropriated under **Permit No. 70112**

1. The source of water is **Underground**
2. The amount of water to be changed **0.3145 cfs – 81.657 AFA**
3. The water to be used for **Commercial and Domestic**
4. The water heretofore permitted for **Irrigation and Domestic Uses**
5. The water is to be diverted at the following point **Lot 7 (SW¹/₄ SW¹/₄) Section 6, T14N, R25E, MDM or at a point from which the N¹/₄ corner of Section 1 T14N, R24E, MDM bears N 28 degrees 13 minutes 25 seconds W, a distance of 5,645.87 feet Refer to supporting map under Permit No. 38330**
6. The existing permitted point of diversion is located within **Point of diversion is not being changed by this application.**
7. Proposed place of use **w/in the E¹/₂ NW¹/₄ and W¹/₂ NE¹/₄ Section 12 T14N, R24E, MDM Refer to supporting map under Permit No. 66038**
8. Existing place of use **E¹/₂ NE¹/₄ Sect. 1 T14N, R24E, MDM; SE¹/₄ NE¹/₄ & E¹/₂ SE¹/₄ Sect. 36 T15N, R24E, MDM; W¹/₂ W¹/₂ Sect. 6 T14N, R25E, MDM; N¹/₂ NW¹/₄ Sect. 7 T14N, R25E, MDM; S¹/₂ NW¹/₄ & SW¹/₄ Sect. 31 T15N, R25E, MDM 20.4142 Ac. to be removed from irrigation Refer to supporting map under Permit No. 17643**
9. Use will be from **January 1st to December 31st** of each year.
10. Use was permitted from **January 1st to December 31st** of each year.
11. Description of proposed works **Existing drilled well, pump, motor and distribution system completed under Permit Nos. 65209 and 70112**
12. Estimated cost of works **None – Existing works**
13. Estimated time required to construct works **Temporary Application to Change**
14. Estimated time required to complete the application of water to beneficial use **Temporary**

15. Remarks: A back up well is needed to protect the on-going operations of the dairy. A permanent application to change is being prepared for submittal. This back up temporary will be needed until a permant application to change is approved. Temporary Applications to Change Nos. 74717T and 74718T propose to change the place and manner of use of a total combined duty of 163.314 acre feet of "stand alone" groundwater from irrigation to commercial purposes.

By s/ Michael D. Buschelman
Michael D. Buschelman
Post Office Box 51371
Sparks, Nevada 89435

Compared sc/hk lt/ gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the manner of use and place of use of a portion of the waters of an underground source as heretofore granted under Permit 70112 is issued subject to the terms and conditions imposed in said Permit 70112 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 66038, 66039, 66193, 67035 and Temporary Permits 74717T and 74718T shall not exceed 267.349 acre-feet annually.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on February 13, 2008 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

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The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.3145 cubic feet per second, or 81.657 acre-feet annually.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

N/A-Temporary

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

N/A-Temporary

Map in support of proof of beneficial use shall be filed on or before:

N/A-Temporary

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 14th day of February, A.D. 2007

Tracy Taylor, P.E.
State Engineer